
TITLE 820 STATE BOARD OF COSMETOLOGY EXAMINERS

Proposed Rule
LSA Document #06-151

DIGEST

Amends [820 IAC 5-1-20](#) concerning license application requirements for tanning facilities. Adds [820 IAC 7-1-1](#), [820 IAC 7-1-3](#), [820 IAC 7-1-4](#), [820 IAC 7-1-5](#), and [820 IAC 7-1-6](#) to establish fees for application, issuance and renewal of cosmetology school licenses, cosmetology instructor licenses, esthetics instructor licenses, electrology instructor licenses, cosmetology salon licenses, electrology salon licenses, esthetic salon licenses, manicurist salon licenses, cosmetologist licenses, electrologist licenses, esthetician licenses, manicurist licenses, and tanning facility licenses; to establish fees for examinations for licensure to practice as a cosmetology instructor, esthetics instructor, electrology instructor, cosmetologist, electrologist, esthetician, and manicurist; to establish fees for temporary permits; to establish fees for verification of license status to another state or jurisdiction; and to establish fees for duplicate licenses. Repeals [820 IAC 2-2-2](#). Effective 30 days after filing with the Publisher.

[IC 4-22-2.1-5 Statement Concerning Rules Affecting Small Businesses](#)

[820 IAC 2-2-2](#); [820 IAC 5-1-20](#); [820 IAC 7-1-1](#); [820 IAC 7-1-3](#); [820 IAC 7-1-4](#); [820 IAC 7-1-5](#); [820 IAC 7-1-6](#)

SECTION 1. [820 IAC 5-1-20](#) IS AMENDED TO READ AS FOLLOWS:

[820 IAC 5-1-20](#) License application required

Authority: [IC 25-8-15.4-23](#)

Affected: [IC 25-8-15.4](#)

Sec. 20. To obtain a license to operate a tanning facility, a person must do the following:

(1) File an application with the board on a form prescribed by the board. Such information shall include the following:

(A) The name, address, and telephone number of the following:

(i) The tanning facility.

(ii) The owner of the tanning facility.

(iii) If the licensee is a corporation, all shareholders owning **at least** five percent (5%) ~~or greater~~ who own a sunlamp product.

(iv) If the licensee is a partnership, all partners of a business who own a sunlamp product.

(v) All settlors, trustees, and beneficiaries of trusts who own a sunlamp product.

(B) If the facility is mobile, the location, by address, at which the facility will be parked during the hours it is open for business.

(C) A signed and dated certification that the applicant has read and understands the requirements of this rule.

(D) All additional information requested by the ~~department~~ **board** to substantiate that the proposed facility can reasonably be expected to provide access to sunlamp products without causing a health or safety hazard to its customers.

(2) Pay a ~~the fee of two hundred dollars (\$200).~~ **set by the board in [820 IAC 7](#).**

(3) ~~Each person operating a tanning facility on the effective date of this rule shall apply for a permit no later than sixty (60) days following the effective date of this rule.~~

(4) ~~(3)~~ Each person establishing or acquiring a tanning facility ~~after the effective date of this rule~~ shall:

(A) apply to the board for a license; and

(B) obtain ~~such~~ **the** license;

~~prior to~~ **before** operating the facility.

(5) ~~(4)~~ The owner shall maintain and make available for inspection written records that must include the:

(A) manufacturer;

(B) year and month of manufacture;

(C) model number;

(D) serial number; and

(E) type;

of each sunlamp product located within the facility.

(State Board of Cosmetology Examiners; [820 IAC 5-1-20](#); filed Mar 17, 1992, 10:20 a.m.: 15 IR 1378; filed Sep 17, 1998, 3:55 p.m.: 22 IR 457; readopted filed Jul 17, 2001, 9:57 a.m.: 24 IR 4236) NOTE: Transferred from the Indiana State Department of Health ([410 IAC 6-13-20](#)) to the State Board of Cosmetology Examiners ([820 IAC 5-1-20](#)) by P.L. 142-1995, SECTION 33, effective July 1, 1995.

SECTION 2. [820 IAC 7-1-1](#) IS ADDED TO READ AS FOLLOWS:

[820 IAC 7-1-1](#) Application/issuance fees

Authority: [IC 25-1-8-2](#); [IC 25-8-4](#)

Affected: [IC 25-8](#)

Sec. 1. The board shall charge and collect the following application/issuance fees for licenses:

- (1) Cosmetologist: \$40
- (2) Electrologist: \$40
- (3) Esthetician: \$40
- (4) Manicurist: \$40
- (5) Cosmetology instructor: \$40
- (6) Esthetics instructor: \$40
- (7) Electrology instructor: \$40
- (8) Cosmetology school: \$400
- (9) Cosmetology salon: \$40
- (10) Electrology salon: \$40
- (11) Esthetic salon: \$40
- (12) Manicurist salon: \$40
- (13) Tanning facility: \$200

(State Board of Cosmetology Examiners; [820 IAC 7-1-1](#))

SECTION 3. [820 IAC 7-1-3](#) IS ADDED TO READ AS FOLLOWS:

[820 IAC 7-1-3](#) Temporary permit fee

Authority: [IC 25-1-8-2](#); [IC 25-8-4](#)

Affected: [IC 25-8](#)

Sec. 3. The board shall charge and collect the following fees for temporary permits:

- (1) Cosmetologist: \$10
- (2) Electrologist: \$10
- (3) Esthetician: \$10
- (4) Manicurist: \$10

(State Board of Cosmetology Examiners; [820 IAC 7-1-3](#))

SECTION 4. [820 IAC 7-1-4](#) IS ADDED TO READ AS FOLLOWS:

[820 IAC 7-1-4](#) Renewal fees

Authority: [IC 25-1-8-2](#); [IC 25-8-4](#)

Affected: [IC 25-8](#)

Sec. 4. The board shall charge and collect the following renewal fees every four years for license:

- (1) Cosmetologist: \$40
- (2) Electrologist: \$40
- (3) Esthetician: \$40
- (4) Manicurist: \$40
- (5) Cosmetology instructor: \$40

- (6) Esthetics instructor: \$40
- (7) Electrology instructor: \$40
- (8) Cosmetology school: \$400
- (9) Cosmetology salon: \$40
- (10) Electrology salon: \$40
- (11) Esthetic salon: \$40
- (12) Manicurist salon: \$40
- (13) Tanning facility: \$200

(State Board of Cosmetology Examiners; [820 IAC 7-1-4](#))

SECTION 5. [820 IAC 7-1-5](#) IS ADDED TO READ AS FOLLOWS:

[820 IAC 7-1-5](#) Fee for verification of a license to another state

Authority: [IC 25-1-8-2](#); [IC 25-8-4](#)

Affected: [IC 25-8](#)

Sec. 5. The board shall charge and collect a ten dollar (\$10) fee for verification of a license to another state or jurisdiction.

(State Board of Cosmetology Examiners; [820 IAC 7-1-5](#))

SECTION 6. [820 IAC 7-1-6](#) IS ADDED TO READ AS FOLLOWS:

[820 IAC 7-1-6](#) Fee for a duplicate permit

Authority: [IC 25-1-8-2](#); [IC 25-8-4](#); [IC 25-8-13-13](#)

Affected: [IC 25-8](#)

Sec. 6. The board shall charge and collect a ten dollar (\$10) fee for the issuance of a duplicate license.

(State Board of Cosmetology Examiners; [820 IAC 7-1-6](#))

SECTION 7. [820 IAC 2-2-2](#) IS REPEALED.

[Notice of Public Hearing](#)

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